

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Rulemaking to Amend)	
Rule Section 22.901 to Extend)	
Analog Sunset Date)	RM-11355
		WT Docket- 01-108
Sunset of the Requirement that Cellular)	
Systems Maintain Analog Transmission)	
Capacity through February 18, 2008,)	
Rule Section 22.901)	

COMMENTS OF THE ATX GROUP

The ATX Group, Inc. (ATX) submits these comments in response to the Petition for Rulemaking filed by the Alarm Industry Communications Committee (AICC) and ADT Security Services, Inc. (ADT). The petition would extend the obligation of cellular carriers to provide the Advanced Mobile Phone Service (AMPS) standard, commonly referred to as analog service, from February 18, 2008 to February 18, 2010.¹ ATX details below the investment and effort undertaken to comply with the Commission's rules.

The ATX Group

ATX is the second-largest provider of telematics technology and services for the automotive industry, serving markets in North America and Western Europe. The technology and services are designed to enhance the safety, security and driving experience for vehicle owners who subscribe to the service and provide marketing and operational benefits to automobile original equipment manufacturers (OEMs) and their

¹ Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking to Extend Cellular Analog Sunset Date, *Public Notice*, DA 06-2559 (December 20, 2006).

dealers. The technology supports the two-way communication of voice and data between a subscriber's automobile and ATX response centers.

The OEMs ATX provides service to include Mercedes-Benz, BMW, Maybach, and Rolls-Royce Motor Cars in the US and BMW and Peugeot-Citroen in Europe. ATX has increased the number of vehicles subscribing to telematics services from approximately 189,000 vehicles on December 31, 2000 to nearly 800,000 vehicles at the end of 2006. .

Telematics services provided by ATX integrate wireless communications, location technology, computer functions and the availability of live operators to provide emergency response and other needs to customers. At the heart of ATX's technology is the ability to locate precisely the individual confronted with an emergency, to communicate with the vehicle and its occupants, to provide assistance to that individual and to notify public safety agencies where that individual is so that help can be dispatched. The cornerstone of ATX's telematics services is automatic crash notification ("ACN") and Mayday in-vehicle button response services.

ATX developed its ACN technology and service around the analog cellular network. From this core technology, location-based emergency assistance capabilities (ACN, Mayday button response, Remote Door Unlock, Stolen Vehicle Recovery), Roadside Assistance, can be provided. The investment of OEMs, ATX and its competitors replicates the Commission's pursuit of bringing location capability to wireless phones, yet with private investment and without government mandate. Since the Commission's Order in 2002 eliminating the obligation of cellular carriers to provide AMPs service, ATX has devoted significant investment and effort to transition equipment to a digital format. ATX's actions were in reliance of the Commission's decision and

will meet the timeframe set by the Commission's rules to sunset carriers' obligations to provide AMPs service.²

AICC's and ADT's Petition for Rulemaking

AICC and ADT state that there is a high probability that they will not be able to complete digital upgrades by February 18, 2008.³ The petition states that replacement digital radios are only now becoming available and that there is insufficient time to complete replacement. It states that there are more than 1 million analog cellular radio devices in service. The petition relates that the alarm industry relied upon cellular resellers, who failed to act,⁴ and the cellular carrier industry, who failed to provide notice.⁵ It states that the industry has had discussions with the cellular industry to provide AMPs service beyond the sunset date and is pursuing a mutual agreeable transition plan.

ATX's Efforts to Transition to Digital Equipment

In 2002, the Commission made a clear decision to terminate the cellular carrier obligation to provide analog capacity and established a 5-year period for interests to move to digital equipment. The Commission stated that this period was to assist hearing aid compatibility equipment to transition to digital. Other interests were beneficiaries of the transition. The decision was subject to Petitions for Reconsideration which the Commission addressed. ATX participated in the extensive exchange of technical and policy advocacy which the Commission considered and rendered its decision upon. Its

² In the Matter of the Year 2000 Biennial Regulatory Review – Amendment of Part 22 of the Commission's Rules to Modify or Eliminate Outdated Rules Affecting the Cellular Radiotelephone Service and other Commercial Mobile Radio Services, *Report and Order*, WT Docket 01-108, FCC 02-229 (September 22, 2002), 47 CFR section 22.901(b).

³ Petition at page 10

⁴ Petition at page 11.

⁵ Petition at page 24.

decisions comported with the Administrative Procedures Act promoting opportunity for comment and fair consideration. The process culminated in a rule that appeared in the Federal Register and established the February 19, 2008 sunset date.⁶

When the Commission released its decision in 2002, ATX explored options to maintain analog service from providers in other frequency bands yet no viable alternatives appeared. ATX and its partners proceeded to invest in identifying and implementing a digital system for its customers' vehicles. The equipment is the device embedded into the vehicle that opens the voice and data line between the vehicle's occupants and the ATX response center. The device must meet standards for reliability upon which to base an emergency response service and be integrated into the vehicle's electronic system. The wireless radio in a telematics vehicle is the only means for the system to communicate. Its design and integration had to parallel already commenced model changes. The effort and investment lead to installation of digital devices commencing in model year 2005.

Additional effort and resources have been directed toward the analog legacy systems. This has involved providing information to vehicle owners regarding the sunset date. It has involved designing and manufacturing a digital device that can be retrofitted into the vehicle if the owner chooses and working with automobile retailers to develop a program for installation. The cellular carrier providing the analog service was also engaged. Embedding digital devices into new vehicles and retrofitting legacy systems has also required adjustments to ATX's internal operations and facilities to accommodate the digital rather than analog environment.

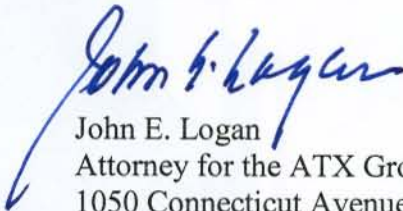
⁶ 67 Federal Register No. 242 at page 77175 (December 17, 2002).

The transition to digital equipment has demanded investment and effort by ATX and its partners. It encompassed changing vehicle owner expectations with regard to legacy equipment. It has entailed additional workload demands on automobile service centers. It has meant shifting operations to a digital environment for equipment manufacturers, customers, vehicle owners and carriers. ATX pursued these actions relying on the Commission's rules; that the Commission meant what it said when it established the February 19, 2008 sunset date. In the context of the proposal to extend the sunset to 2010, it would be difficult if not impossible for ATX to brake the present transition path. Systems and expectations are geared to a February 19, 2008 sunset.

Respectfully submitted,

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Certification

The Opposition of the ATX Group addressing the Petition for Rulemaking of , was filed with the Commission's Secretary via its electronic filing system. A copy was sent via First Class Mail to the counsel for the Petitioners:

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